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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,488	05/11/2005	Yuichi Inada	59559.00020	7113
32294	7590	03/04/2009	EXAMINER	
SQUIRE, SANDERS & DEMPSEY LLP. 8000 TOWERS CRESCENT DRIVE 14TH FLOOR VIENNA, VA 22182-6212			BODAWALA, DIMPLE N	
ART UNIT	PAPER NUMBER			
		1791		
MAIL DATE	DELIVERY MODE			
03/04/2009	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/534,488	<b>Applicant(s)</b> INADA ET AL.
	<b>Examiner</b> DIMPLE N. BODAWALA	<b>Art Unit</b> 1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 February 2009.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-11 and 15 is/are pending in the application.  
 4a) Of the above claim(s) 12-14 and 16 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-11 and 15 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/16/2009 has been entered.

#### ***Specification***

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d) (1) and MPEP § 608.01(o). Correction of the following is required: Claim 8 cites limitation of "...a detachment preventive portion is formed for preventing detachment of the stamper from the inner holder", which is not described such a way in the instant disclosure.

#### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the instant disclosure suggests that the stopper member is disposed on the rear end of the inner holder (see figure 3, right side), however, figure 3 fails to show such limitation. Therefore, claims limitation "stopper member" as claimed in claim 4, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki et al. (JP 2001-322148).**

6. Suzuki et al. ('148) discloses a mold for molding a disk which comprises a mirror surface disk (18), a stamper (32) having a hole (41) formed at its center, and attached to a front end surface of the mirror surface disc (18) (See figure 2), an inner holder (33) for holding the stamper (32) (See figure 2). It further teaches that the internal circumferential edges of the stamper (32) is forced on the fixed side mirror block by the detaching portion (34) is formed in the periphery edge of the inner holder (33) (See paragraph # 9, 32 of the translation; figures 1-4), and also attaching portion (34) formed on the outer periphery edge of the inner stamper holder (33), wherein the attaching part (34) is portion of the inner holder is capable to press-fitted into the hole, thus, the inner holder is capable to press-fitted into the hole. It further discloses a fixed die (11) as a first mold assembly and a moveable die (12) as a second mold assembly disposed in such a manner as to be able to advance toward and retreat from the first mold assembly (11); a sprue (16) as an insert disposed in the first mold assembly (11), an inner holder (33) for disposing the insert (16) (See figure 2).

7. Figure 2 further teaches that the press fit as described above. Thus, the deformation can occur depending on the amount of pressure exerted or the temperature or flow of the material etc. It further suggests that during the press fit, a front end surface of the inner holder (33) and a front end surface of the stamper are brought into a same plane. It further teaches that the press fit is preformed in a press fit deformation region established at each of at least two positions in a circumferential direction of the stamper and the inner holder (See figure 2). It further teaches that the press fit deformation region,

an outer circumferential of the inner holder comprises a plurality of surfaces, wherein a diameter of a front end of the inner holder (33) is greater than a diameter of a rear end of the inner holder (33) (See figure 2). It further teaches a tip face (S14) as a stopper member for stopping the inner holder at a position such as a prescribed distance H, which inherently suggests that the front end surface of the inner holder and the front end surface of the stamper are brought onto a same plane (See figure 1).

8. It further discloses an attachment portion (34) of the inner holder which is capable to prevent detachment of the stamper from the inner holder, thus, the attaching portion of the inner holder is capable to use as a detachment preventive portion (34) (See figure 1, paragraph # 9 and 10 of the translation). It further teaches that the front end surface of the inner holder (33) projects from a front end surface of the stamper (See figure 2).

9. Claims 11 and 15 are being a substantial duplicate of claims 1 and 10. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording.

10. However, claims of the instant application cites intended use of the press fit deformation region, such as of “during the press fit, at least either stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed”, “to bring the front end surface of the stamper and inner holder”; “to establish two positions of the inner holder in a circumferential direction, so the inner holder having a plurality of outer surfaces”, and “define detachment preventive portion”. However, the inner holder of the prior art is configured to be press fitted within the hole of the stamper, and also

configured to hold the stamper, and, thus able to perform press-fit, and, also able to define press-fit deformation region. If the prior art structure is capable of performing the intended use, then it meets the claim. Thus, prior art, Suzuki et al. discloses all claimed structural limitations as discussed above, so the structural limitations of the art are capable to operate in desired functions as required. Intended use has been continuously held not to be germane to determining the patentability of the apparatus, *In re Finsterwalder*, 168 USPQ 530. The manner or method in which a machine is to be utilized is not germane to the issue of patentability of the machine itself, *In re Casey*, 152 USPQ 235, 238. Purpose to which apparatus is to be put and expression relating apparatus to contents thereof during the intended operation are not significant in determining patentability of an apparatus claim, *Ex parte Thibault*, 164 USPQ 666. A recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations, *Ex parte Masham*, 2 USPQ2d 1647.

11. Suzuki et al. ('148) discloses all claimed structural limitations as discussed above and, thus, the claims are anticipated.

12. **Claims 1-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hiroya (JP 02-134218)**

13. Hiroya ('218) discloses an injection mould for molding disc, wherein molding machine comprises stationary die (12), moveable die (11), mirror surface disc (14); stamper (20) (See figure 1), wherein stamper having hole formed at its center (See figure

2), and attached to the front end surface of the mirror surface disc (14) (See figure 1); and press ring (21) as an inner holder configured to hold the stamper (20) (See figure 1; abstract). Figure 1 further suggests that the inner holder (21) is configured to be press fitted into the hole of the stamper. It further teaches that the stamper (20) can be prevented from being deformed by the pressing force, thermal expansion or shrinkage (See abstract), thus, the stamper is capable to deform during the pressure application. It further suggests that during the disc molding process, the stamper is press fitted to the die and is not moved at all (See abstract), thus, the apparatus is capable to perform press-fit application. It further teaches that the inner holder (21) is configured to be fitted in the hole of the stamper such that the front end surface of the inner holder and the front end surface of the stamper are brought into the same plane (See figure 1). Figure 1 shows that the front end surface of the inner holder comprise specific configuration as stopper member during the press fit, which enable to stop the inner holder at such a position that the front end surface of the inner holder and the front end surface of the stamper are brought into the same plane. It further teaches that the inner holder (21) is configured to be fitted in the hole of the stamper such that diameter of the front end surface of the inner holder is greater than the diameter of a rear end surface of the inner holder (See figure 1). It further teaches that the inner holder (21) is configured to be fitted in the hole of the stamper such that the inner holder is capable to have detachment preventing surface for holding the stamper or preventing detachment of the stamper from the inner holder during the pressure application (See figure 1). Figure 1 further shows that the front end

surface of the inner holder projects from a front end surface of the stamper. However, instant application suggests hole of the stamper serves as an insert, while prior art, Hiroya suggests molding machine having a stamper (20), wherein stamper (20) having a central hole (20A) (See figure 2); and inner holder (21) is configured to dispose the central hole, such away that the inner holder is able to press fitted into the hole (See figure 1).

14. Claims 11 and 15 are being a substantial duplicate of claims 1 and 10. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording.

15. However, claims of the instant application cites intended use of the press fit deformation region, such as of “during the press fit, at least either stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed”, “to bring the front end surface of the stamper and inner holder”; “to establish two positions of the inner holder in a circumferential direction, so the inner holder having a plurality of outer surfaces”, and “define detachment preventive portion”. However, the inner holder of the prior art is configured to be press fitted within the hole of the stamper, and also configured to hold the stamper, and, thus able to perform press-fit, and, also able to define press-fit deformation region. If prior art discloses all claimed structural limitations as discussed above, so the structural limitations of the art are capable to operate in desired functions as required. Intended use has been continuously held not to be germane to determining the patentability of the apparatus, *In re Finsterwalder*, 168 USPQ 530. The manner or method in which a machine is to be utilized is not germane to the issue of

patentability of the machine itself, *In re Casey*, 152 USPQ 235, 238. Purpose to which apparatus is to be put and expression relating apparatus to contents thereof during the intended operation are not significant in determining patentability of an apparatus claim, *Ex parte Thibault*, 164 USPQ 666. A recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations, *Ex parte Masham*, 2 USPQ2d 1647.

16. Hiroya discloses all claimed structural limitations as discussed above, and, thus, the claims are anticipated.

17. **Claims 1-3, 5-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasuyoshi et al. (JP 2001-30304).**

18. Yasuyoshi et al. discloses molding apparatus for molding disc, wherein apparatus comprises fixed mold (11) as a first mold assembly; moveable mold (12) as a second mold assembly, wherein fixed mold (11) comprises mirror block (18) as a mirror-surface disc (See para.#5 of the translation); a stamper (32) having a hole (57) formed at its center, and attached to the front end surface of the mirror surface disc (18) (See figures 1-2, 5); and an inner holder (33) configured to hold the stamper (See figures 2, 5; para. #21 of translation). It further teaches that during the molding process, the stamper is subjected to hold by the inner holder in order to mold prototype substrate corresponds to digital information (See paragraph # 8 of the translation), thus, the inner holder (33) is capable to press fit into the hole. However, instant application suggests hole of the stamper serves

as an insert, while prior art, Yasuyoshi et al. suggests molding machine having a stamper (32), wherein stamper (32) having a central hole (57) (See figure 2); and inner holder (33) is configured to dispose the central hole, such away that the inner holder is able to press fitted into the hole (See figure 2). It further discloses a portion (34) as a detachment preventive portion, which is capable to prevent the detachment of the stamper from the inner holder (See figures 1-2, 4). It further teaches that the diameter of the front end surface of the inner holder (33) is greater than the diameter of the rear end of the inner holder (33) (See figure 1-4).

19. Claims 11 and 15 are being a substantial duplicate of claims 1 and 10. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording.

20. However, claims of the instant application cites intended use of the press fit deformation region, such as of “during the press fit, at least either stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed”, “to bring the front end surface of the stamper and inner holder”; “to establish two positions of the inner holder in a circumferential direction, so the inner holder having a plurality of outer surfaces”, and “define detachment preventive portion”. However, the inner holder of the prior art is configured to be press fitted within the hole of the stamper, and also configured to hold the stamper, and, thus able to perform press-fit, and, also able to define press-fit deformation region. If prior art discloses all claimed structural limitations as discussed above, so the structural limitations of the art are capable to operate in desired

functions as required. Intended use has been continuously held not to be germane to determining the patentability of the apparatus, *In re Finsterwalder*, 168 USPQ 530. The manner or method in which a machine is to be utilized is not germane to the issue of patentability of the machine itself, *In re Casey*, 152 USPQ 235, 238. Purpose to which apparatus is to be put and expression relating apparatus to contents thereof during the intended operation are not significant in determining patentability of an apparatus claim, *Ex parte Thibault*, 164 USPQ 666. A recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations, *Ex parte Masham*, 2 USPQ2d 1647.

21. Yasuyoshi et al. discloses all claimed structural limitations as discussed above, and, thus, the claims are anticipated.

22. **Claims 1-3, 5-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Hout et al. (US 6,238,197).**

23. As to claim 1, Van Hout et al. discloses an injection mold (21), which comprises first mold assembly (22) and second mold assembly (23) (See figure 1 col.7 lines 35-39); mirror surface disc (29); stamper (6) having a hole formed at its center and attached to the front end surface of the mirror surface disc (29) (See figure 1); and inner holder (30) (See figure 1). It further teaches that the stamper is held against mirror surface disc (29) by mechanical holding means (30) (See col.7 lines 54-56), thus, the holding means (30) is configured to hold the stamper (6). Figure 1 further shows that the inner holder (30) is

configured to press fitted into the hole of the stamper, and, thus able to hold the stamper during the pressure application. It further teaches that during the molding operation, the shifting force is exerted on the stamper (6) which results in stamper expanding thermally and mechanically, thus the wave like mechanical deformation of the stamper is performed (See col.7 line 65 through col. 8 line 2; figure 2). Figure 2 further shows that the front end surface of the inner holder and the front end surface of the stamper are brought onto a same plane during the pressure application. It further teaches that the press fit deformation region established at each of the two positions in a circumferential direction of the stamper and the inner holder (See figures 2-3). Figure 1 further shows that the diameter of the front end surface of the inner holder is greater than the diameter of the rear end of the holder. However, instant application suggests hole of the stamper serves as an insert, while prior art, Van Hout et al. suggests molding machine having a stamper (6), wherein stamper (6) having a central hole (See figure 1); and inner holder (30) is configured to dispose the central hole, such away that the inner holder is able to press fitted into the hole (See figure 1).

24. Claims 11 and 15 are being a substantial duplicate of claims 1 and 10. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording.

25. However, claims of the instant application cites intended use of the press fit deformation region, such as of “during the press fit, at least either stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed”, “to

bring the front end surface of the stamper and inner holder”; “to establish two positions of the inner holder in a circumferential direction, so the inner holder having a plurality of outer surfaces”, and “define detachment preventive portion”. However, the inner holder of the prior art is configured to be press fitted within the hole of the stamper, and also configured to hold the stamper, and, thus able to perform press-fit, and, also able to define press-fit deformation region. If prior art discloses all claimed structural limitations as discussed above, so the structural limitations of the art are capable to operate in desired functions as required. Intended use has been continuously held not to be germane to determining the patentability of the apparatus, *In re Finsterwalder*, 168 USPQ 530. The manner or method in which a machine is to be utilized is not germane to the issue of patentability of the machine itself, *In re Casey*, 152 USPQ 235, 238. Purpose to which apparatus is to be put and expression relating apparatus to contents thereof during the intended operation are not significant in determining patentability of an apparatus claim, *Ex parte Thibault*, 164 USPQ 666. A recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations, *Ex parte Masham*, 2 USPQ2d 1647.

26. Van Hout et al. discloses all claimed structural limitations as discussed above, and, thus, the claims are anticipated.

***Response to Arguments***

27. Applicant's arguments filed on 1/16/2009 have been fully considered but they are not persuasive.
28. Applicant argues that prior art, Suzuki et al. (JP 2001-322148) generally discussed a technique to prevent the generation of defective lamination by the mutual interference of cut burrs when the two disk substrates are bounded, wherein Suzuki et al. discloses inner holder for holding the stamper. However amended claim 1 cites that the inner holder is configured to be press-fitted into the hole, the inner holder is able to hold the stamper, thus, the instant invention includes an inner holder is able to hold the stamper in place without the need of a holding portion. Applicant further argues that Suzuki et al. discloses stamper (32) which is able to hold in place by attaching portion (34) formed on the outer periphery edge of the inner stamper holder (33). Because the attaching portion (34) is formed on the outer periphery edge of the inner stamper holder (33), the inner holder of Suzuki et al. can not be configured to press-fitted into the hole.
29. In response to applicant's arguments, Suzuki et al. discloses stamper (32); fixed side mirror block (18); inner stamper holder (33) and attaching part (34) is formed in the periphery edge of the inner holder (33) (See paragraph # 32; figures 1-4), thus, inherently suggests that the attaching part is a portion of the peripheral edge of the inner holder. However, Applicant admits that Suzuki discloses stamper (32) which is able to hold in place by attaching portion (34) formed on the outer periphery edge of the inner stamper holder (33), thus, inherently Suzuki suggests that the inner holder is capable to press-fitted the stamper into the hole.

30. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., an inner holder is able to hold the stamper in place without the need of a holding portion) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In this case, the amended instant claim cites that the inner holder is configured to hold the stamper, but does not cite that an inner holder is able to hold the stamper in place without the need of a holding portion. Thus, Suzuki et al. discloses an invention which comprises inner holder is capable to hold the stamper in place. It is not necessary that the prior art suggest expressly or in so many words the changes or possible improvements the inventor made but that the knowledge be clearly present. *In re Sernaker*, 217 USPQ 1 (Fed. Cir. 1983).

31. Applicant further argues that Suzuki et al. describes that in order to attached the stamper (32) to the fixed side mirror block (18), the inner holder (33) is fixed to the side mirror block and the internal circumference edge of the stamper is forced on the fixed side mirror block by attaching part formed in the periphery edge of this inner stamper holder (33). However, Suzuki fails to teach that during the press fit, at least either stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed.

32. In response to applicant's argument that "during the press fit, at least either stamper or the inner holder is subjected to stress in excess of its yield point and

plastically deformed”, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. Furthermore, during the personal interview on 1/14/2009, examiners indicated that part (d) of the claims 1 and 10 cites limitation “during the press fit, at least either stamper or the inner holder is subjected to stress in excess of its yield point and plastically deformed” which is intended use of the apparatus and thus would not be distinguishing over the prior art. Thus, prior art, Suzuki et al. discloses all claimed structural limitations as discussed above, so the structural limitations of the art are capable to operate in desired functions as required.

Intended use has been continuously held not to be germane to determining the patentability of the apparatus, *In re Finsterwalder*, 168 USPQ 530. The manner or method in which a machine is to be utilized is not germane to the issue of patentability of the machine itself, *In re Casey*, 152 USPQ 235, 238. Purpose to which apparatus is to be put and expression relating apparatus to contents thereof during the intended operation are not significant in determining patentability of an apparatus claim, *Ex parte Thibault*, 164 USPQ 666. A recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations, *Ex parte Masham*, 2 USPQ2d 1647. Thus, Applicant’s all arguments are fully considered, but not found persuasive,

therefore, rejection of claims over Suzuki et al. has been maintained based on Reasons as discussed above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIMPLE N. BODAWALA whose telephone number is (571)272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PHILLIP C. TUCKER can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dimple N Bodawala  
Examiner  
Art Unit 1791

**/D. N. B./**  
**Examiner, Art Unit 1791**

**/Philip C Tucker/**  
**Supervisory Patent Examiner, Art Unit 1791**